

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1036 be amended to read as follows:

- 1 Page 1, between lines 6 and 7, begin a new paragraph and insert:
2 "SECTION 2. IC 9-19-1-5.5 IS ADDED TO THE INDIANA CODE
3 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
4 1, 2008]: **Sec. 5.5. (a) A person who is stopped by a law enforcement**
5 **officer for a moving traffic offense in violation of this article shall**
6 **produce for the law enforcement officer the person's driver's**
7 **license and proof of financial responsibility under IC 9-25-5.**
8 **(b) If:**
9 **(1) a person does not comply with subsection (a); and**
10 **(2) the person's driver's license is not recorded in the Indiana**
11 **data and communication system managed under IC 10-13-3;**
12 **the law enforcement officer shall immediately impound the motor**
13 **vehicle unless the law enforcement officer determines that**
14 **immediately impounding the motor vehicle is dangerous,**
15 **impracticable, or otherwise inadvisable.**
16 **(c) If the owner of the motor vehicle impounded under**
17 **subsection (b) does not:**
18 **(1) produce for the bureau the driver's license of the person**
19 **described in subsection (a) or of the owner;**
20 **(2) produce for the bureau proof of financial responsibility**
21 **(IC 9-25-5) for the person described in subsection (a) or the**
22 **owner; and**
23 **(3) pay any costs related to the impoundment;**
24 **within twenty (20) days after the motor vehicle is impounded, the**

1 **motor vehicle is considered an abandoned vehicle subject to**
 2 **IC 9-22-1.**

3 SECTION 3. IC 9-21-0.5 IS ADDED TO THE INDIANA CODE
 4 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2008]:

6 **Chapter 0.5. Requirement to Show Driver's License and Proof**
 7 **of Financial Responsibility**

8 **Sec. 1. A person who is stopped by a law enforcement officer for**
 9 **a moving traffic offense in violation of:**

- 10 (1) IC 9-21-5;
- 11 (2) IC 9-21-6;
- 12 (3) IC 9-21-7;
- 13 (4) IC 9-21-8;
- 14 (5) IC 9-21-9;
- 15 (6) IC 9-21-10;
- 16 (7) IC 9-21-12;
- 17 (8) IC 9-21-13; or
- 18 (9) IC 9-21-14;

19 **must produce for the law enforcement officer the person's driver's**
 20 **license and proof of financial responsibility under IC 9-25-5 .**

21 **Sec. 2. If:**

- 22 (1) a person does not comply with section 1 of this chapter;
- 23 and
- 24 (2) the person's driver's license is not recorded in the Indiana
- 25 data and communication system managed under IC 10-13-3;
- 26 the law enforcement officer shall immediately impound the motor
- 27 vehicle unless the law enforcement officer determines that
- 28 immediately impounding the motor vehicle is dangerous,
- 29 impracticable, or otherwise inadvisable.

30 **Sec. 3. If the owner of the motor vehicle impounded under**
 31 **section 2 of this chapter does not:**

- 32 (1) produce for the bureau the driver's license of the person
- 33 described in section 1 of this chapter or of the owner;
- 34 (2) produce for the bureau proof of financial responsibility
- 35 (IC 9-25-5) of the person described in section 1 of this chapter
- 36 or of the owner; and
- 37 (3) pay any costs related to the impoundment;
- 38 **within twenty (20) days after the motor vehicle is impounded, the**
- 39 **motor vehicle is considered an abandoned vehicle subject to**
- 40 **IC 9-22-1."**

41 Page 2, between lines 37 and 38, begin a new paragraph and insert:
 42 "SECTION 5. IC 9-26-2-1.5 IS ADDED TO THE INDIANA CODE
 43 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 44 1, 2008]: **Sec. 1.5. (a) A law enforcement officer performing an**
 45 **investigation under section 1 of this chapter shall request from the**
 46 **operator of each motor vehicle involved in the accident the**
 47 **operator's driver's license and proof of financial responsibility**

under IC 9-25-5, which the operator must produce.

(b) If:

- (1) an operator does not comply with subsection (a); and
- (2) the operator's driver's license is not recorded in the Indiana data and communication system managed under IC 10-13-3;

the law enforcement officer shall immediately impound the motor vehicle unless the law enforcement officer determines that immediately impounding the motor vehicle is dangerous, impracticable, or otherwise inadvisable.

(c) If the owner of the motor vehicle impounded under subsection (b) does not:

- (1) produce for the bureau the driver's license of the operator described in subsection (a) or of the owner;
- (2) produce for the bureau proof of financial responsibility (IC 9-25-5); and
- (3) pay any costs related to the impoundment;

within twenty (20) days after the motor vehicle is impounded, the motor vehicle is considered an abandoned vehicle subject to IC 9-22-1.

SECTION 6. IC 9-26-2-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 2. A law enforcement officer shall forward a written report of each accident investigated under section 1 of this chapter to the state police department within twenty-four (24) hours after completing the investigation. The report must contain, if possible, the following information:

(1) The:

- (A) name and address of the owner and operator of;
- (B) driver's license number of the operator of; and
- (C) proof of financial responsibility (IC 9-25-5) concerning;

each vehicle involved in the accident.

(2) The license number and description of each vehicle involved in the accident.

(3) The time and place the accident occurred.

(4) The name and address of each person injured or killed in the accident.

- 1 (5) The name and address of each witness to the accident."
- 2 Renumber all SECTIONS consecutively.
(Reference is to HB 1036 as printed January 25, 2008.)

Representative Davis